IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.744 OF 2004

WITH

APPEAL FROM ORDER NO.809 of 2004

M/s.Global Tenants Welfare Associates & Anr. ..Appellants.

V/s.

Municipal Corpn. of Gr. Bombay & Ors. ..Respondents.

Mr.P.K. Dhakephalkar for appellants.

Mr.N.V.Walawalkar with J. Xavier for respondents.

CORAM : V.C.DAGA, J.

DATED : 17TH SEPTEMBER, 2004.

P.C. :-

. The learned counsel appearing for the appellants submits that the weathershed has already been removed, including the Neon sign. He further submits that few angles which remained to be removed would be removed within a period of 3 days from today. The learned counsel for the appellant Mr.Dhakephalkar undertakes that without any

reservation those angles would be removed within 3 days from today. The statement made and undertaking given are taken on record.

2. Mr.Dhakephalkar further submits that he would withdraw the suit bearing No.3990 of 2004 without prejudice to his right to move an application for seeking licence to put Neon signs. Mr.Walawalkar makes a statement on behalf of the Corporation that such application if moved would be considered on its own merits without taking into account this litigation. It is made clear that in the event of an adverse order, it would be open for the present appellant to challenge the same in appropriate proceedings. All rival contentions in that behalf are kept open.

3. With this order, the Appeal from Order No.809 of 2004 stands disposed of and A.O. No.744 of 2004 is rendered infructuous and stands disposed of with no order as to costs.

. Parties to act on an ordinary copy of this order duly authenticated by the Associate / C.S.

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